HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.806 of 2007

Date: 22-11-2007.

Between :

The Chairman, A.P. Transmission Corporation Limited, Hyderabad, rep. by its Superintending Engineer (Operations) & others.

.....Petitioners

And

The Industrial Tribunal cum Labour Court, Anantapur, Rep. by its Presiding Officer & another.

.....Respondents.

HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.806 of 2007

JUDGMENT : (Per Hon'ble Sri Justice Bilal Nazki, ACJ)

The Labour Court ordered absorption of 2nd respondent and gave him certain other benefits. The employer filed a writ petition being writ petition No.23591 of 2006. The learned Single Judge suspended the Award except absorption of the workman into service. Therefore, this appeal has been filed.

The learned counsel for appellants Mr.G.Vidya Sagar submits that the whole question to be decided in the writ petition is whether the 2nd respondent was entitled to absorption or not, therefore, such an order could have not been passed, but the interests of the 2nd respondent could be protected by ordering payment in terms of Section 17-B of the Industrial Disputes Act, 1947 (for short 'the Act'). After hearing learned counsel for the parties, we feel that this will be a fair arrangement during the pendency of the writ petition and modify the order of the learned Single Judge to the extent that the Award shall remain stayed and the appellants shall pay emoluments to the 2nd respondent in terms of Section 17-B of the Act with effect from the date of

Award.

Appeal is accordingly disposed of.

_____

BILAL NAZKI, ACJ

22nd November 2007.

_____

RAMESH RANGANATHAN, J

ajr